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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,677	09/22/2003	Steven Linn Murphy	W115 1010.1	9397

26158 7590 10/20/2006

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EXAMINER

SALIARD, SHANNON S

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 10/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/667,677	Applicant(s) MURPHY, STEVEN LINN	
	Examiner Shannon S. Saliard	Art Unit 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>12/29/03</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1-5, 7-11, and 13** are rejected under 35 U.S.C. 103(a) as being unpatentable over Reichert et al [US 2002/0042819] in view of DeLorme [U.S. Patent No. 5,948,040] and Official Notice.

As per **claim 1**, Reichert et al discloses a method of facilitating selection of a lodging property, the method comprising the steps of: (a) receiving an indication of a geographic area of interest from a user [0032]; (b) identifying one or more lodging properties located within the geographic area of interest [0032; 0037]; and (c) displaying a map of the geographic area of interest whereupon are plotted the locations of the one or more lodging properties [0032]. Reichert et al does not disclose (d) displaying in a pull-down dialog box substantially dynamic information regarding the particular lodging property indicated by the user, wherein the substantially dynamic information is provided in substantially real-time so as to be substantially current. However, DeLorme et al discloses a map display that facilitates interactions with substantially dynamic (temporal) information regarding a particular lodging property [col 25, lines 29-35]. Furthermore, the Examiner takes Official Notice that it is old and well known at the time

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of the invention, in the electronic transaction industry, to use a pull-down dialog box to display information. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Reichert et al to include displaying in a pull-down dialog box substantially dynamic information regarding the particular lodging property indicated by the user, wherein the substantially dynamic information is provided in substantially real-time so as to be substantially current so that a user does not have to connect to various sites to determine to obtain information regarding a particular lodging property.

As per **claim 2**, Reichert et al further discloses wherein the indication of the geographic area of interest is in the form of a city name [0032].

As per **claim 3**, Reichert et al further discloses wherein the indication of the geographic area of interest is in the form of a substantially unique name of a feature having a known location [0032].

As per **claim 4**, Reichert et al further discloses wherein step (a) includes receiving one or more other user-specified criteria from the user [0032].

As per **claim 5**, Reichert et al further discloses wherein in step (c) only the locations of one or more conforming lodging properties located within the geographic area of interest and conforming to the one or more other user-specified criteria are plotted on the map [0037].

As per **claim 7**, Reichert et al further discloses further including the step of providing a navigational control allowing the user to manipulate the map for viewing [0034].

As per **claim 8**, Reichert et al further discloses wherein the navigational control includes a movement capability [0034]. Reichert et al does not further disclose wherein the navigational control includes a zoom capability. However, DeLorme et al discloses a map with zoom capability [col 48, lines 11-14]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Reichert et al to include the method disclosed by DeLorme et al so that a user can get an accurate detailed view for ease of locating the property.

As per **claim 9**, Reichert et al does not further disclose including the step of displaying in the pull-down dialog box substantially static information regarding a particular lodging property indicated by the user. However, DeLorme et al discloses a map display that facilitates interactions with substantially static information regarding a particular lodging property [col 25, lines 29-35]. Furthermore, the Examiner takes Official Notice that it is old and well known at the time of the invention, in the electronic transaction industry, to use a pull-down dialog box to display information. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Reichert et al to include displaying in the pull-down dialog box substantially static information regarding a particular lodging property indicated by the user so that a user does not have to connect to various sites to determine to obtain information regarding a particular lodging property.

As per **claim 10**, Reichert et al further discloses further including the step of providing one or more hyperlinks to additional static information (amenities) and additional dynamic information (vacancy) [0040].

As per **claim 11**, Reichert et al does further discloses further including the step of plotting one or more non-lodging features on the map [0032; 0037].

As per **claim 13**, Reichert et al further discloses a computer program operable to implement the method as set forth in claim 1 [0023-0027].

3. **Claim 6** is rejected under 35 U.S.C. 103(a) as being unpatentable over Reichert et al [US 2002/0042819] in view of DeLorme [U.S. Patent No. 5,948,040] and Official Notice as applied to claim 1 above, and further in view of DeLorme et al [US 2003/0182052].

As per **claim 6**, Reichert et al does not disclose wherein in step (c) the map is initially displayed centered about an average location of the plotted lodging properties. However, DeLorme et al discloses centering a map about a radius of each point of interest [0197]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Reichert et al to include the method disclosed by DeLorme et al so that the user is provided with a full view of all points of interest to determine which point of interest best suits their needs.

4. **Claim 12** is rejected under 35 U.S.C. 103(a) as being unpatentable over Reichert et al [US 2002/0042819] in view of DeLorme [U.S. Patent No. 5,948,040] and Official Notice as applied to claim 1 above, and further in view of Jones et al [U.S. Patent No. 7,082,400].

As per **claim 12**, Reichert et al does not disclose further including the step of providing substantially real-time access to a computerized reservation system of the particular lodging property indicated by the user so as to facilitate the user making a reservation. However, Jones et al discloses a map that provides access to a CRS to reserve a hotel [col 6, lines 30-33]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Reichert et al to include the method disclosed by Jones et al so that the does not have to connect to various sites to determine to obtain information regarding a particular lodging property.

5. **Claim 14-16 and 18-23** are rejected under 35 U.S.C. 103(a) as being unpatentable over Reichert et al [US 2002/0042819] in view of DeLorme [U.S. Patent No. 5,948,040], Official Notice, and Jones et al [U.S. Patent No. 7,082,400].

As per **claim 14**, Reichert et al discloses a method of facilitating selection of a lodging property, the method comprising the steps of: (a) receiving an indication of a geographic area of interest and one or more other user-specified criteria from a user [0032]; (b) identifying one or more lodging properties located within the geographic area of interest and conforming to the one or more other user-specified criteria [0032; 0037]; (c) displaying a map of the geographic area of interest whereupon are plotted the locations of the one or more lodging properties [0032]. Reichert et al does not disclose (d) displaying in a pull-down dialog box substantially dynamic information regarding the particular lodging property indicated by the user, wherein the substantially dynamic

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information is provided in substantially real-time so as to be substantially current.

However, DeLorme et al discloses a map display that facilitates interactions with substantially dynamic (temporal) information regarding a particular lodging property [col 25, lines 29-35]. Furthermore, the Examiner takes Official Notice that it is old and well known at the time of the invention, in the electronic transaction industry, to use a pull-down dialog box to display information. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Reichert et al to include displaying in a pull-down dialog box substantially dynamic information regarding the particular lodging property indicated by the user, wherein the substantially dynamic information is provided in substantially real-time so as to be substantially current so that a user does not have to connect to various sites to determine to obtain information regarding a particular lodging property. DeLorme et al does not disclose (e) providing substantially real-time access to a computerized reservation system of the particular lodging property indicated by the user so as to facilitate the user making a reservation. However, Jones et al discloses a map that provides access to a CRS to reserve a hotel [col 6, lines 30-33]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Reichert et al to include the method disclosed by Jones et al so that the does not have to connect to various sites to determine to obtain information regarding a particular lodging property.

As per **claim 15**, Reichert et al further discloses wherein the indication of the geographic area of interest is in the form of a city name [0032].

As per **claim 16**, Reichert et al further discloses wherein the indication of the geographic area of interest is in the form of a substantially unique name of a feature having a known location [0032].

As per **claim 18**, Reichert et al further discloses further including the step of providing a navigational control allowing the user to manipulate the map for viewing [0034].

As per **claim 19**, Reichert et al further discloses wherein the navigational control includes a movement capability [0034]. Reichert et al does not further disclose wherein the navigational control includes a zoom capability. However, DeLorme et al discloses a map with zoom capability [col 48, lines 11-14]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Reichert et al to include the method disclosed by DeLorme et al so that a user can get an accurate detailed view for ease of locating the property.

As per **claim 20**, Reichert et al does not further disclose including the step of displaying in the pull-down dialog box substantially static information regarding a particular lodging property indicated by the user. However, DeLorme et al discloses a map display that facilitates interactions with substantially static information regarding a particular lodging property [col 25, lines 29-35]. Furthermore, the Examiner takes Official Notice that it is old and well known at the time of the invention, in the electronic transaction industry, to use a pull-down dialog box to display information. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Reichert et al to include displaying in the pull-down dialog box

substantially static information regarding a particular lodging property indicated by the user so that a user does not have to connect to various sites to determine to obtain information regarding a particular lodging property.

As per **claim 21**, Reichert et al further discloses further including the step of providing one or more hyperlinks to additional static information (amenities) and additional dynamic information (vacancy) [0040].

As per **claim 22**, Reichert et al does further discloses further including the step of plotting one or more non-lodging features on the map [0032; 0037].

As per **claim 23**, Reichert et al further discloses a computer program operable to implement the method as set forth in claim 14 [0023-0027].

6. **Claim 17** is rejected under 35 U.S.C. 103(a) as being unpatentable over Reichert et al [US 2002/0042819] in view of DeLorme [U.S. Patent No. 5,948,040], Official Notice, and Jones et al [U.S. Patent No. 7,082,400] as applied to claim 14 above, and further in view of DeLorme et al [US 2003/0182052].

As per **claim 17**, Reichert wherein in step (c) the map is initially displayed centered about an average location of the plotted lodging properties

7. **Claims 24-27** are rejected under 35 U.S.C. 103(a) as being unpatentable over Reichert et al [US 2002/0042819] in view of DeLorme [U.S. Patent No. 5,948,040], Official Notice, Jones et al [U.S. Patent No. 7,082,400], and DeLorme et al [US 2003/0182052].

As per **claims 24 and 26**, Reichert et al discloses a method of facilitating selection of a lodging property, the method comprising the steps of: (a) receiving an indication of a geographic area of interest and one or more other user-specified criteria from a user [0032]; (b) identifying one or more lodging properties located within the geographic area of interest and conforming to the one or more other user-specified criteria [0032; 0037]; (c) displaying a map of the geographic area of interest whereupon are plotted the locations of the one or more conforming lodging properties [0032], (d) plotting one or more non-lodging features on the map [0032; 0037]; (e) providing a navigational control allowing the user to manipulate the map for viewing, wherein the navigational control includes a movement capability [0034]; (h) providing one or more hyperlinks to additional static information (amenities) and additional dynamic information (vacancy) [0040]. Reichert et al does not disclose providing a navigational control allowing zoom capability; (f) displaying in a pull-down dialog box substantially static information regarding a particular lodging property indicated by the user; (g) displaying in the pull-down dialog box substantially dynamic information regarding the particular lodging property indicated by the user, wherein the substantially dynamic information is provided in substantially real-time so as to be substantially current. However, DeLorme et al discloses a map display with zoom capability [col 48, lines 11-14] and facilities interactions with substantially dynamic (temporal) information regarding a particular lodging property [col 25, lines 29-35]. DeLorme et al further discloses a map display that facilitates interactions with substantially static information regarding a particular lodging property [col 25, lines 29-35]. Furthermore, the Examiner takes Official Notice

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that it is old and well known at the time of the invention, in the electronic transaction industry, to use a pull-down dialog box to display information. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Reichert et al to include displaying in a pull-down dialog box substantially dynamic and static information regarding the particular lodging property indicated by the user, wherein the substantially dynamic information is provided in substantially real-time so as to be substantially current so that a user does not have to connect to various sites to determine to obtain information regarding a particular lodging property. DeLorme et al does not disclose (e) providing substantially real-time access to a computerized reservation system of the particular lodging property indicated by the user so as to facilitate the user making a reservation. However, Jones et al discloses a map that provides access to a CRS to reserve a hotel [col 6, lines 30-33]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Reichert et al to include the method disclosed by Jones et al so that the does not have to connect to various sites to determine to obtain information regarding a particular lodging property. Jones et al does not disclose wherein the map is initially displayed centered about an average location of the plotted lodging properties. However, DeLorme et al discloses centering a map about a radius of each point of interest [0197]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Reichert et al to include the method disclosed by DeLorme et al so that the user is provided with a full view of all points of interest to determine which point of interest best suits their needs.

As per **claims 25 and 27**, Reichert et al further discloses a computer program operable to implement the method as set forth in claim 24 [0023-0027].

Conclusion

Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shannon S. Saliard whose telephone number is 571-272-5587. The examiner can normally be reached on Monday - Friday, 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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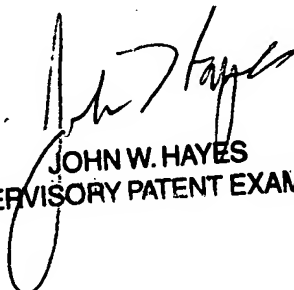
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Examiner
Art Unit 3628